

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: <u>4/22/2020</u>

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 UNITED STATES OF AMERICA, :
 :
 -against- : 17-CR-438 (VEC)
 :
 DAVID SANTIAGO, :
 : ORDER
 :
 Defendant. :
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VALERIE CAPRONI, United States District Judge:

WHEREAS on April 16, 2020, the Court received a copy of Mr. Santiago's petition for compassionate release (Dkt. 545);

WHEREAS on April 22, 2020, the Government submitted a letter confirming that Mr. Santiago's petition was filed with the warden on April 7, 2020 (Dkt. 547);

WHEREAS it appears that the copy of the Petition was filed with the Court for the Court's information;

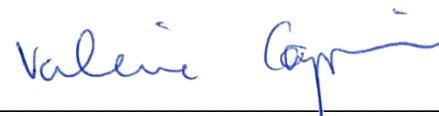
WHEREAS a court may, according to the plain language of 18 U.S.C. § 3582(c), reduce a defendant's sentence under the rubric of compassionate release *only* "upon motion of the Director of the Bureau of Prisons" or "upon motion of the defendant after the defendant has fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant's behalf or the lapse of 30 days from the receipt of such a request by the warden of the defendant's facility, whichever is earlier," 18 U.S.C. § 3582(c)(1)(A);

IT IS HEREBY ORDERED that Petitioner must send a letter to the Court requesting that the Court consider his motion for compassionate release after he has exhausted his administrative appeals within the Bureau of Prisons or after 30 days have elapsed from the warden's receipt of the petition. Petitioner may supplement his April 7, 2020 filing at that time if he wishes.

A copy of this order has been mailed to Petitioner by Chambers.

SO ORDERED.

Date: April 22, 2020
New York, NY



VALERIE CAPRONI
United States District Judge